



Docket No.: 212667US6

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/928,353

Applicants: Naoya SUZUKI

Filing Date: August 14, 2001

For: INFORMATION PROCESSING SYSTEM,
INFORMATION PROCESSING DEVICE,
INFORMATION PROCESSING METHOD,
INFORMATION PROCESSING PROGRAM, AND
REMOTE CONTROLLER TERMINAL

Group Art Unit: 2151

Examiner: WALSH, JOHN B.

SIR:

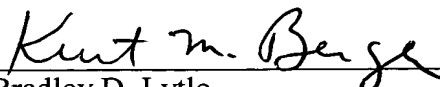
Attached hereto for filing are the following papers:

PROVISIONAL ELECTION

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Bradley D. Lytle

Registration No. 40,073

Customer Number

22850

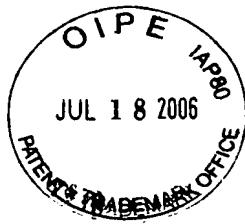
(703) 413-3000 (phone)

(703) 413-2220 (fax)

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Kurt M. Berger, Ph.D.
Registration No. 51,461

DOCKET NO: 212667US6



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
NAOYA SUZUKI : EXAMINER: WALSH, JOHN B.
SERIAL NO: 09/928,353 :
FILED: AUGUST 14, 2001 : GROUP ART UNIT: 2151
FOR: INFORMATION PROCESSING :
SYSTEM, INFORMATION PROCESSING
DEVICE, INFORMATION PROCESSING
METHOD, INFORMATION PROCESSING
PROGRAM, AND REMOTE
CONTROLLER TERMINAL

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the election requirement dated June 20, 2006, Applicant provisionally elects with traverse Group I, Claims 1, 3, and 4 drawn to an information processing system, classified in class 709, subclass 225, for further examination on the merits. Applicant reserves the right to file one or more divisional applications directed to the non-elected invention.

Furthermore, while the Election Requirement asserts that the application contains claims to patentably distinct inventions, MPEP § 803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

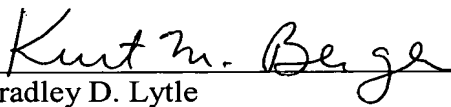
Application No. 09/928,353
Reply to Office Action of June 20, 2006

Although the outstanding Official Action identifies different search classifications, it is believed that the claims of the present application would have to be searched in a couple of sub-classes. Furthermore, since electronic searching is commonly performed, a search may be made of a large number of, or theoretically all, subclasses without substantial additional effort. Accordingly, Applicant respectfully traverses the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner, whereas it would be a serious burden on Applicant to prosecute and maintain separate applications.

Therefore, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1, 3, 4, 13, 15, 16, and 18-21 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Kurt M. Berger, Ph.D.
Registration No. 51,461

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